

20904
23026 U.S.P.T.O.

PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	344/1/070
First Inventor	Wilfried KOLBE et al
Title	DEVICE FOR STACKING ..
Express Mail Label No.	EU365933296US

22278
10/774986
U.S.P.T.O.

020904

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)
<i>(Submit an original and a duplicate for fee processing)</i> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status.
See 37 CFR 1.27. | 8. Nucleotide and/or Amino Acid Sequence Submission
<i>(if applicable, all necessary)</i> |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages 11]
<i>(preferred arrangement set forth below)</i> | a. <input type="checkbox"/> Computer Readable Form (CRF) |
| - Descriptive title of the invention | b. Specification Sequence Listing on: |
| - Cross Reference to Related Applications | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or |
| - Statement Regarding Fed sponsored R & D | ii. <input type="checkbox"/> Paper |
| - Reference to sequence listing, a table, or a computer program listing appendix | c. <input type="checkbox"/> Statements verifying identity of above copies |
| - Background of the Invention | |
| - Brief Summary of the Invention | |
| - Brief Description of the Drawings (if filed) | |
| - Detailed Description | |
| - Claim(s) | |
| - Abstract of the Disclosure | |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 2] | |
| 5. Oath or Declaration [Total Sheets 4] | |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy) | 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
<i>(for continuation/divisional with Box 18 completed)</i> | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of
<i>(when there is an assignee)</i> Attorney |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> |
| 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations |
| | 13. <input checked="" type="checkbox"/> Preliminary Amendment |
| | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)
<i>(Should be specifically itemized)</i> |
| | 15. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s)
<i>(if foreign priority is claimed)</i> |
| | 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
| | 17. <input type="checkbox"/> Other: |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner _____ Art Unit: _____
 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	170	OR	<input checked="" type="checkbox"/> Correspondence address below
Name	Richard M. Goldberg		
Address	25 East Salem Street Suite 419		
City	Hackensack	State	NJ
Country	US	Telephone	201-343-7775
Name (Print/Type)	Richard M. Goldberg	Registration No. (Attorney/Agent)	28,215
Signature			
Date	Feb. 9, 2004		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 425.00)

Complete if Known

Application Number	
Filing Date	February 9, 2004
First Named Inventor	Wilfried KOLBE et al
Examiner Name	
Art Unit	
Attorney Docket No.	344/1/070

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	07-1524
Deposit Account Name	Richard M. Goldberg

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			385

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
17	-20** = 0	x 0	= 0
Independent Claims	2	-3** = 0	x 0 = 0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Richard M. Goldberg	Registration No. (Attorney/Agent)	28,215	Telephone	201-343-7775
Signature	Richard M. Goldberg	Date	FEBRUARY 9, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Law Offices of
RICHARD M. GOLDBERG

25 EAST SALEM STREET
HACKENSACK, NEW JERSEY 07601

(201) 343-7775

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MEMBER NEW JERSEY AND
NEW YORK BARS

February 9, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: New U.S. Patent Application
Applicants: Wilfried KOLBE et al
Title : DEVICE FOR STACKING TUBE SECTIONS
FOR PRODUCING BAGS
My File : 344/1/070

Certificate of Mailing By Express Mail Under 37 CFR 1.10

Express Mail "Mailing Label No.": EU365933296US
Date of Deposit : FEBRUARY 9, 2004

I hereby certify that this paper and/or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. 1.10 on the date indicated above
and is addressed to Mail Stop Patent Application, COMMISSIONER FOR
PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on
February 9, 2004.

Richard M. Goldberg
(Name of Registered Representative
and person mailing)

Richard M. Goldberg February 9,
(Signature and Date) 2004

Dear Sirs:

Transmitted herewith for filing in the U.S. Patent and
Trademark Office is a new U.S. patent application including:

- (a) FORM PTO/SB/05 (01-04) - Utility Patent Application
Transmittal;
- (b) FORM PTO/SB/17 (10-03) - Fee Transmittal, with
authorization to charge \$425.00 to Deposit Account No.
07-1524 (\$385.00 - filing fee; \$40.00 - Assignment
recordal fee). The filing fee has been calculated in
consideration of the claims in the Preliminary
Amendment filed herewith;

Assistant Commissioner for Patents
February 9, 2004
Page 2

- (c) Application Data Sheet;
- (d) U.S. Patent Application of eleven (11) pages;
- (e) Two (2) sheets of formal drawings;
- (f) Declaration and Power of Attorney;
- (g) Assignment and Recordation Form Cover Sheet;
- (h) Preliminary Amendment;
- (i) Information Disclosure Statement, PTO/SB/08A and four references; and
- (j) Petition for Grant of Priority and Certified Copy of European priority application number 03 003 023.3, filed February 12, 2003; and

APPLICANTS QUALIFY FOR SMALL ENTITY STATUS.

It is respectfully requested that the above-identified application be granted a filing date within the February 12, 2004 convention term, based on European Patent Application No. 03 003 023.3, filed February 12, 2003.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

Respectfully submitted,


Richard M. Goldberg
Registration No. 28,215

RMG:mz
enclosures

Law Offices of
RICHARD M. GOLDBERG